

Senate File 2218 - Reprinted

SENATE FILE 2218
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SF 2008)

(As Amended and Passed by the Senate March 8, 2016)

A BILL FOR

1 An Act relating to the possession and administration of
2 emergency drugs by first responders and other persons in a
3 position to assist for purposes of treating drug overdose
4 victims and including contingent implementation provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.190 Possession and
2 administration of opioid antagonists.

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. "*Opioid antagonist*" means the same as defined in section
6 147A.1.

7 b. "*Opioid-related overdose*" means the same as defined in
8 section 147A.1.

9 c. "*Person in a position to assist*" means a family member,
10 friend, caregiver, health care provider, employee of a
11 substance abuse treatment facility, or other person who may be
12 in a place to render aid to a person at risk of experiencing an
13 opioid-related overdose.

14 2. A person in a position to assist may possess and provide
15 or administer an opioid antagonist to an individual if the
16 person in a position to assist reasonably and in good faith
17 believes that such individual is experiencing an opioid-related
18 overdose.

19 3. A person in a position to assist who has acted reasonably
20 and in good faith shall not be liable for any injury arising
21 from the provision, administration, or assistance in the
22 administration of an opioid antagonist as provided in this
23 section.

24 Sec. 2. Section 147A.1, Code 2016, is amended by adding the
25 following new subsections:

26 NEW SUBSECTION. 6A. "*First responder*" means an emergency
27 medical care provider, a registered nurse staffing an
28 authorized service program under section 147A.12, a physician
29 assistant staffing an authorized service program under section
30 147A.13, a fire fighter, or a peace officer as defined in
31 section 801.4 who is trained and authorized to administer an
32 opioid antagonist.

33 NEW SUBSECTION. 6B. "*Licensed health care professional*"
34 means the same as defined in section 280.16.

35 NEW SUBSECTION. 6C. "*Opioid antagonist*" means a drug that

1 binds to opioid receptors and blocks or inhibits the effects of
2 opioids acting on those receptors, including but not limited
3 to naloxone hydrochloride or any other similarly acting drug
4 approved by the United States food and drug administration.

5 NEW SUBSECTION. 6D. "*Opioid-related overdose*" means
6 a condition affecting a person which may include extreme
7 physical illness, a decreased level of consciousness,
8 respiratory depression, a coma, or the ceasing of respiratory
9 or circulatory function resulting from the consumption or use
10 of an opioid, or another substance with which an opioid was
11 combined.

12 Sec. 3. NEW SECTION. 147A.18 Possession and administration
13 of an opioid antagonist — immunity.

14 1. Notwithstanding any other provision of law to the
15 contrary, a licensed health care professional may prescribe
16 an opioid antagonist in the name of a service program, law
17 enforcement agency, or fire department to be maintained for use
18 as provided in this section.

19 2. A service program, law enforcement agency, or fire
20 department may obtain a prescription for and maintain a supply
21 of opioid antagonists. A service program, law enforcement
22 agency, or fire department that obtains such a prescription
23 shall replace an opioid antagonist upon its use or expiration.

24 3. A first responder employed by a service program, law
25 enforcement agency, or fire department that maintains a supply
26 of opioid antagonists pursuant to this section may possess
27 and provide or administer such an opioid antagonist to an
28 individual if the first responder reasonably and in good faith
29 believes that such individual is experiencing an opioid-related
30 overdose.

31 4. The following persons, provided they have acted
32 reasonably and in good faith, shall not be liable for any
33 injury arising from the provision, administration, or
34 assistance in the administration of an opioid antagonist as
35 provided in this section:

1 *a.* A first responder who provides, administers, or assists
2 in the administration of an opioid antagonist to an individual
3 as provided in this section.

4 *b.* A service program, law enforcement agency, or fire
5 department.

6 *c.* The prescriber of the opioid antagonist.

7 5. The department shall adopt rules pursuant to chapter
8 17A to implement and administer this section, including but
9 not limited to standards and procedures for the prescription,
10 distribution, storage, replacement, and administration of
11 opioid antagonists, and for the training and authorization
12 to be required for first responders to administer an opioid
13 antagonist.

14 Sec. 4. CONTINGENT IMPLEMENTATION. Implementation of the
15 section of this Act enacting section 147A.18 is contingent upon
16 the availability of funding.